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WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/732,914	12/11/2000	David Cheo	0942.5010002/RWE/SGW BTD

CONFIRMATION NO. 2341

# FORMALITIES LETTER



\*OC000000005829780\*

STERNE. KESSLER, GOLDSTEIN & FOX P.L.L.C.  
Attorneys at Law  
Suite 600  
1100 New York Avenue, N.W.  
Washington, DC 20005-3934

Date Mailed: 03/06/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/07/2001 MABD11 00000017 09732914

FILED UNDER 37 CFR 1.53(b)

01 FC:101	710.00 OP
02 FC:102	1360.00 OP
03 FC:103	2196.00 OP
04 FC:105	130.00 OP

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$3636.
  - \$2196 for 122 total claims over 20.
  - \$1440 for 18 independent claims over 3 .
- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 4476.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

06/14/2001 Y61ZAW 00000001 190035 09732914

01 FC:102

80.00 CH

- drawings contain excessive text. Suitable descriptive legends may be used, or may be required by the Examiner where necessary for understanding of the drawing but should contain as few words as possible ( see 37 CFR 1.84(o));
- drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));

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*A copy of this notice MUST be returned with the reply.*



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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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\*LIMITED TO MATTERS  
AND PROCEEDINGS BEFORE  
FEDERAL COURTS & AGENCIES  
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May 4, 2001

Commissioner for Patents  
Washington, D.C. 20231

Box Missing Parts

Re: U.S. Utility Patent Application  
Appl. No. 09/732,914; Filed: December 11, 2000  
For: Use of Multiple Recombination Sites with Unique Specificity in  
Recombinational Cloning  
Inventors: Cheo *et al.*  
Our Ref: 0942.5010002/RWE/BJD

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated March 6, 2001, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Copy of the Notice to File Missing Parts;
2. PTO Fee Transmittal Form (PTO/SB/17) (in duplicate);
3. Our Check No. 31144 for \$4,396.00 to cover:  
\$ 710.00 Filing Fee for Patent Application (37 C.F.R. § 1.16)  
\$3556.00 Fee for excess claims (37 C.F.R. § 1.16)  
\$ 130.00 Surcharge for late filing of Declaration (37 C.F.R. § 1.16);
4. Original Declaration, executed by the inventors;
5. An original executed Power of Attorney from Assignee;

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May 4, 2001  
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6. Assignee 37 C.F.R. § 3.73(b) Statement with copy of Assignment attached;
7. Letter to PTO Draftsman: Submission of Formal Drawings (in duplicate);
8. 34 sheets of formal drawings with Figures 1-13, 14A, 14B, 15, 16, 17A, 17B, 18, 19, 20A-F, 21A-C, 22A, 22B, 23, 24A, 24B, 24C, 25A-B, 26A, 26B, 27A, and 27B; and
9. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

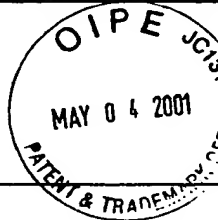


Brian J. Del Buono  
Attorney for Applicants  
Registration No. 42,473

BJD/nef  
Enclosures

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.



## Complete if Known

Application Number	09/732,914
Filing Date	December 11, 2000
First Named Inventor	CHEO et al.
Examiner Name	To be assigned
Group Art Unit	1645
Attorney Docket No.	0942.5010002/RWE/BJD

TOTAL AMOUNT OF PAYMENT (\$ ) 4,396.00

### METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number 19-0036  
Deposit Account Name Sterne, Kessler, Goldstein & Fox P.L.L.C.

- ☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- ☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☒ Other\*  
\*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	710.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1) (\$ )					710.00

#### 2. EXTRA CLAIM FEES

	Extra	Fee from below	Fee Paid
Total Claims 142 - 20** = 122	X 18.00	=	2196.00
Indep. Claims 20 - 3** = 17	X 80.00	=	1360.00
Multiple Dependent		=	00.00

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim
108	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ ) 3556.00

\*\* or number previously paid, if greater; For Reissues, see above

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) :

Other fee (specify) :

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 130.00

### SUBMITTED BY

Name (Print/Type)	Brian J. Del Buono	Registration No. (Attorney/Agent)	42,473	Telephone	202-371-2600
Signature		Date	May 4, 2001		

### Complete (if applicable)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.  
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